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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,879	08/09/2006	George E. Hoffman	4003.PALM.PSI	4106
7590 Berry & Associates 9255 Sunset Blvd Suite 810 Los Angeles, CA 90069				
EXAMINER				
LEE, CHUN KUAN				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/588,879

Applicant(s)

HOFFMAN ET AL.

Examiner

CHUN-KUAN LEE

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 31-40 is/are pending in the application.
- 4a) Of the above claim(s) 32-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

CONTINUED EXAMINATION UNDER 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/03/2009 has been entered.

RESPONSE TO ARGUMENTS

2. Applicant's arguments filed 07/03/2009 have been fully considered but they are not persuasive. Currently, claims 22-30 are cancelled; claims 32-40 are withdrawn; and claims 1-21 and 31 are pending for examination.

3. In response to applicant's arguments with regard to the independent claim 1 rejected under 35 U.S.C. 103(a) that the combination of the references does not teach/suggest the claimed feature the target object determining access authorization because Scheifler and Colburnu both teaches determined security measures using a centralized authority, as Scheifler teaches permission object (i.e. not target object) that determine whether a requested permission is authorized and Colburnu teaches security measures are determined by attributes obtained from the call tack to determine whether

particular conditions are met to permit an access instance to access a particular target; applicant's arguments have fully been considered, but are not found to be persuasive.

The examiner respectfully disagrees, because the examiner is not fully clear where in either Scheifler or Colburnu teaches centralized authority, as it seems neither Scheifler nor Colburnu disclosed wording such as "central" or "centralized" authorization. Furthermore, the examiner is relying on Colburnu, not Scheifler, for the teaching/suggesting of the target object determining access authorization, as in accordance to applicant's own argument, the target object determined access authorization by checking it own security policy (applicant's argument on page 9, lines 26-27), and Colburnu teaches a target object (Fig. 8, ref. 160) having its own security policy (Fig. 8, ref. 184, 194) for determining access authorization to the target object. Additionally, no where in either Scheifler or Colburnu teaches that by combining with the other, the resulting combination would not function properly.

4. In response to applicant's arguments with regard to the independent claim 1 rejected under 35 U.S.C. 103(a) that the combination of the references does not teach/suggest every claimed features because Scheifler's disclosure of implied permission (col. 12, ll. 46-55) does not constitute determining access to other interface of a target object; applicant's arguments have fully been considered, but are not found to be persuasive.

The examiner respectfully disagrees, because the examiner is not fully clear why Scheifler's disclosure of implied permission does not constitute determining access to

other interface of a target object, as Scheifler teaches the implied permission still need to be determined, in order to have knowledge of access authorization of what is implied.

5. In response to applicant's arguments with regard to the independent claim 1 rejected under 35 U.S.C. 103(a) that the combination of the references does not teach/suggest the claimed feature the target object determine whether access to a particular interface base on a call to the first interface by checking its own security policies; applicant's arguments have fully been considered, but are not found to be persuasive.

Please note that the features upon which applicant relies (i.e., checking its own security policies) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The examiner respectfully disagrees, as the examiner relied on the references as following for the teaching of the above claimed feature:

Scheifler teaches determining whether access to a particular interface (e.g. write to any specific file in the directory, such as "c:/thisfile") base on a call to the first interface (e.g. write to any file in a directory, such as "c:/") (Fig. 1; Fig. 4-6; col. 4, l. 51 to col. 5, l. 3 and col. 9, l. 11 to col. 14, l. 38)

Colburn the target object (Fig. 8, ref. 160) determine access authorization by checking its own security policies (Fig. 8, ref. 184, 194) (col. 1, l. 12 to col. 3, l. 45; col. 7, ll. 26-52 and col. 11, ll. 25-51).

Therefore, the resulting combination of the references further teaches the target object determine whether access to a particular interface base on a call to the first interface by checking its own security policies.

I. ELECTION / RESTRICTION

6. This application contains claims directed to the following patentably distinct species

Specie I: Claims 1-21 and 31 are directed to Figure 6.

Specie II: Claims 32-40 are directed to Figure 8.

The species are independent or distinct because claims to the different species recite the mutually exclusive characteristics of such species. In addition, these species are not obvious variants of each other based on the current record.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 is generic.

There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g., searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species to be examined even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected species**, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

The election of the species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the election of species requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected species.

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the species unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other species.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141.

During a telephone conversation with Shawn Diedtrich (Reg. # 58,176) on 08/20/2009 a provisional election was made with traverse to prosecute the invention of Specie I, claims 1-21 and 31. Affirmation of this election must be made by applicant in replying to this Office action. Claims 32-40 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

II. REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-21 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scheifler et al. (US Patent 6,138,238) in view of Colburn et al. (US Patent 6,173,404).

8. As per claims 1, 20-21 and 31, Scheifler teaches a method, a system and a computer readable medium storing instructions for controlling a computer device for

controlling access to an object in an operating system, the method, system and computer readable medium comprising:

a module configured means for receiving a call from an external thread (Fig. 6, ref. 6200) to a first interface (e.g. write to any file in a directory, such as "c:/") of a target object (Fig. 6, ref. 4500-1) (Fig. 1; Fig. 4-5; col. 4, l. 51 to col. 5, l. 3 and col. 9, l. 11 to col. 14, l. 38);

a module configured with means for determining whether the external thread has access to other interfaces (e.g. write to any specific file in the directory, such as "c:/thisfile") of the target object based on the call received at the first interface (Fig. 4-5 and col. 11, l. 20 to col. 13, l. 45), wherein the determination is in association with implied permission; and

a module configured with means for to grant access to the other interfaces according to the determination (Fig. 4-5 and col. 11, l. 20 to col. 13, l. 45).

Scheiffer does not expressly teach the method, system and computer readable medium comprising: wherein the call from an object; and the target object determining access to the other interfaces;

Colburn teaches the method, system and computer readable medium comprising: a call received from an object (Fig. 5, ref. 100) and a target object (Fig. 8, ref. 160, 184, 194) determining (at the target object) access to other interfaces (col. 1, l. 12 to col. 3, l. 45; col. 7, ll. 26-52 and col. 11, ll. 25-51), in combination with Scheiffer's above teaching of implied permission, the resulting combination further teaches the

target object implementing access authorization in association with implied permission to other interfaces.

It would have been obvious for one of ordinary skill in this art, at the time of invention was made to include Colburn's inter-object security scheme into Scheifler's object for the benefit of implementing a more robust security scheme between objects (Colburn, col. 3, ll. 34-37) to obtain the invention as specified in claims 1, 20-21 and 31.

9. As per claim 2, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein Colburn further teaches the method comprising wherein determining whether the external object has access to other interfaces of the target object further comprises examining a security policy (Colburn, Fig. 8, ref. 184, 194) contained within the target object (Colburn, Fig. 8, ref. 160) (Colburn, Fig. 7A-7B; Fig. 8 and col. 11, l. 25 to col. 12, l. 58).

10. As per claim 3, Scheifler and Colburn teach all the limitation of claim 2 as discussed above, wherein Colburn further teaches the method comprising wherein the security policy is contained entirely within the target object (Colburn, Fig. 8).

11. As per claim 4, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein Scheifler further teaches the method further comprising determining whether the external object and the target object operate in a same process (e.g. same class of valid digital signature or not) (Scheifler, col. 9, l. 52 to col. 11, l. 19).

12. As per claim 5, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein Scheifler further teaches the method comprising wherein determining whether the external object has access to the other interfaces of the target object further comprises: identifying the other interfaces of the target object that can be accessed when the first interface is being requested by the external object (Scheifler, col. 11, l. 20 to col. 13, l. 45), as the other interfaces must be identified in order to proper grant the permission via the implied permission.

13. As per claim 6, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein both further teach the method further comprising determining a first process of the target object (Scheifler, col. 9, l. 52 to col. 11, l. 19 and Colburn, Fig. 8; Fig. 10; col. 1, l. 12 to col. 3, l. 45), such as determining whether the target object's first process corresponds to either valid digital signature with known keys or digital signature that cannot be verified thus a default key is utilized.

14. As per claim 7, Scheifler and Colburn teach all the limitation of claim 6 as discussed above, wherein both further teach the method further comprising determining a second process of the external object (Scheifler, col. 9, l. 52 to col. 11, l. 19 and Colburn, Fig. 8; Fig. 10; col. 1, l. 12 to col. 3, l. 45), such as determining whether the external object's second process corresponds to either valid digital signature with known keys or digital signature that cannot be verified thus a default key is utilized.

15. As per claim 8, Scheifler and Colburn teach all the limitation of claim 7 as discussed above, wherein both further teach the method further comprising performing a cross-process communication between the target object and the external object (Scheifler, col. 9, l. 52 to col. 11, l. 19 and Colburn, Fig. 8; Fig. 10; col. 1, l. 12 to col. 3, l. 45; col. 13, l. 44 to col. 14, l. 34), such as allowing restrictive access to the target object as the target object is under valid digital signature process and the external object is not under valid digital signature process.

16. As per claim 9, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein both further teach the method further comprising securing a channel for each interface of the target object (Scheifler, col. 9, l. 52 to col. 11, l. 19 and Colburn, Fig. 8; Fig. 10; col. 1, l. 12 to col. 3, l. 45; col. 13, l. 44 to col. 14, l. 34), as the channel is secured via a cryptographic key over a network between client and server.

17. As per claim 10, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein both further teach the method comprising wherein determining whether the external object has access to the other interfaces of the target object further comprises analyzing access constraints within the target object (Scheifler, col. 11, l. 20 to col. 13, l. 45 and Colburn, Fig. 7A-7B; Fig. 8; col. 13, l. 44 to col. 14, l. 34), as the analyzing of the implied permission is located within the target object.

18. As per claim 11, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein both further teach the method further comprising analyzing interface access data stored within the target object (Scheifler, col. 11, l. 20 to col. 13, l. 45 and Colburn, Fig. 7A-7B; Fig. 8; col. 13, l. 44 to col. 14, l. 34).

19. As per claim 12, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein both further teach the method further comprising determining whether the target object and the external object are in a same protection domain (Scheifler, Fig 4; col. 11, l. 20 to col. 13, l. 45 and Colburn, Fig. 8).

20. As per claim 13, Scheifler and Colburn teach all the limitation of claim 12 as discussed above, wherein both further teach the method comprising wherein the protection domain is a process (Scheifler, Fig 4 and col. 9, l. 52 to col. 13, l. 45 and Colburn, Fig. 8), wherein the process is associated with valid digital signature and un-validated digital signature.

21. As per claim 14, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein Colburn further teaches the method comprising wherein the target object sets the target object's own security policy (Colburn, Fig. 8), the target object sets the target object's own security policy as the access constraints and access authorization resides within the target object.

22. As per claim 15, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein Scheifler further teaches the method comprising wherein determining whether the external object has access to the other interfaces further comprises determining capabilities of the external object (Scheifler, col. 9, l. 52 to col. 13, l. 45), as the capability corresponds to the capability of transferring data along with the know key or without the know key.

23. As per claim 16, Scheifler and Colburn teach all the limitation of claim 15 as discussed above, wherein Colburn further teaches the method comprising further comprising mapping capabilities of the external object to the other interfaces of the target object (Scheifler, col. 9, l. 52 to col. 13, l. 45), such as mapping the capability of transferring data with the know key to other interfaces for grater access.

24. As per claim 17, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein both further teach the method comprising wherein the target object and the external object are created using a same methodology (e.g. object oriented by Java) (Scheifler, col. 9, l. 52 to col. col. 11, l. 19 and Colburn, col. 1, l. 12 to col. 3, l. 45).

25. As per claim 18, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein Colburn further teaches the method comprising wherein the

target object and the external object are views in a view hierarchy (Colburn, col. 1, l. 12 to col. 3, l. 45).

26. As per claim 19, Scheifler and Colburn teach all the limitation of claim 18 as discussed above, wherein Colburn further teaches the method comprising wherein a view has a parent calling interface, a child calling interface, and a child managing interface (Colburn, col. 6, ll. 29-52), as the hierarchal relation between parent-child is well known with the corresponding above interfaces for the parent and the child.

III. CLOSING COMMENTS

Conclusion

a. STATUS OF CLAIMS IN THE APPLICATION

The following is a summary of the treatment and status of all claims in the application as recommended by **M.P.E.P. 707.07(i)**:

a(1) CLAIMS REJECTED IN THE APPLICATION

Per the instant office action, claims 1-21 and 31 have received a first action on the merits and are subject of a first action non-final.

b. DIRECTION OF FUTURE CORRESPONDENCES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671. The examiner can normally be reached on 8AM to 5PM.

IMPORTANT NOTE

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alford Kindred can be reached on (571) 272-4037. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C.K.L./

August 21, 2009

/CHUN-KUAN LEE/

Examiner, Art Unit 2181

Chun-Kuan (Mike) Lee
Examiner
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